

1986

## TEXAS AIR CONTROL BOARD

01 Acct No [01-0016H] Action Code [ ]  
 02 Inv Date [01 / 08 / 85] Hour/# [ 11 ] Cnst. Permit Engineer [ ]

03 County [ Brazoria ] Jurisdiction [ 070 ] SS: AA [ ] IA [ ] DA [ ]  
 04 UTM/LL [ ] E-Meters/Lat [ ] N-Meters/Long [ ]  
 05 Co Name [ Fish Engineering and Construction ] Portable [ ] PA [ ]  
 06 Site Name [ ] Fed Fac [ ] SO<sub>2</sub> [ ]  
 07 Mail 1 [ P. O. Box Drawer 0 ] EPA Cls [ ] VOC [ ]  
 08 Mail 2 [ ] Al/A2 Mo [ ] [ ] [ ]  
 09 Mail: City [ Freeport ] St [ TX ] Zip [ 77541 ] A2 SchYr [ ] [ ] [ ]  
 10 Location [ ] Pr Rg Pl [ ] [ ] [ ]  
 11 Near City [ ] Loc Zip [ ] TSP Attn [ ] Prev Loc [ ]  
 12 SIC [ ] [ ] [ ] Prncpl Bsnss [ ]  
 13 Mgr Name [ Don Randolph ]  
 14 Title [ Mgr. Marine Operations ] Ph# [ 713 ]-[ 233 / 7951 ]

15 Permit No [ ]/[ ] Approve / Exempt / Void /  
 16 Oper Pmt Eng [ ] Deny / Hold / Discuss /  
 17 All NSPS Facilities [ ] All NESHAP Facilities [ ]  
 18 FIN [ ] Fac. Name [ ]

19 Act Code [ ]  
 20 Investigation Typ: Burning [ ] Complaint [ ] Permit [ ] Non-Inv [ ]  
 21 Obser Smpl [ ] Upset/Maint [ ] Sampling [ ] SIP [ ] Site [ ]  
 22 Src Surv [ ] Vehicle [ ] NSPS [ ] NESHAP [ ] Other [ ]  
 23 Inv Codes [ 070 ] [ ] [ ] Inv I.D. [ ]

COMPLAINT #	DATE RECEIVED	ODOR	SMOKE	DUST	OTHER
24 [ 079365 / / ]	[ 12 / 19 / 84 ]	[ ]	[ ]	[ ]	[ ]
25 [ / / ]	[ / / ]	[ ]	[ ]	[ ]	[ ]
26 [ / / ]	[ / / ]	[ ]	[ ]	[ ]	[ ]

27 REPRESENTATIVE SAMPLES: Sampling Results to Follow: Y or N: [ ]

TYPE	SCC	CONTAM	TIME	ACTUAL	RATE	ALLOWABLE	RATE	%MAX
28 [ ] [ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]
29 [ ] [ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]
30 [ ] [ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]

Emission Rate Code: lb/hr - 01; lb/D - 02; T/Y - 03; SCFM - 04; PPM - 05; PFB - 06,  
 ug/M<sup>3</sup> - 07; GR/SCF - 08; lb/MBTU - 09; % - 10; None - 11

31 [ ] NOV: Rule [ ] Rule [ ] Local [ ] Order [ ] TCAA [ ]  
 32 SCC [ ] SCC [ ] SCC [ ] SCC [ ] SCC [ ]  
 33 Abatement Letter: Y or N: [ N ] Hi/Lo Priority: (Enf. Act. Req. Y or N): [ ]

34 If Emission Status Undetermined, Why? Plt Dwn [ ] Part Op [ ] Need Smpl [ ] U/M [ ]  
 35 Other [ ]

Sched Date	ActTyp	ID	Comments
36 [ / / ] [ ]	[ ]	[ ]	[ ]
37 [ / / ] [ ]	[ ]	[ ]	[ ]

Code Line	Comment Entries
38 [ ] [ ]	[ ]
39 [ ] [ ]	[ ]
40 [ ] [ ]	[ ]

41 Person Contacted [ Don Randolph ] Title [ Environmental Eng ] Ph# [ 713 / 297-8225 ]  
 42 Photos: Yes [ X ] No [ ]

Investigator(s)

Date

Approved By  
Page 1 of 2 Pages

LNP/JP

White .....Original  
 Pink.....Region  
 Canary .....Keypunch  
 Green.....Permits  
 Goldenrod.....File

Purpose:

On January 8, 1985 Complaint No. 079365 was investigated. The complainant alleged that Fish Engineering was burning solid wastes in an incinerator on their property. The incinerator created a lot of black smoke and left an ash on his car.

Findings:

The complainant lives very near the Fish Engineering Barge Cleaning facility. At this time there was no smoke from any unit at Fish Engineering. Workers were sandblasting a barge. I asked the complainant if he ever got sandblasting material on his property and he said that he didn't and he was not bothered by that operation. He gave me a picture of a smoking stack at Fish Engineering (attachment 1) that he had taken about 3 weeks ago. He said that one day he found a yellow ash on his cars. He believed this ash also came from the incinerator stack. The complainant said there were other areas he wanted to point out that he felt were problems. We drove along on Marlin Lane to get a better view of the stack at Fish Engineering. I told him our file indicated this unit was a boiler for steam and hot water for cleaning barges and not an incinerator. He also expressed some concern about the property across from Fish Engineering, saying he had seen trucks dumping there and was concerned about nearby well contamination. He said there were two nearby plants which at times smelled so bad as to be nauseating. We investigated downwind of Gulf Chemical and Metallurgical, and while there was a noticeable odor we both agreed it was not offensive or a nuisance condition. We went to another plant that the complainant said often smelled of chlorine. This plant was A. P. Green Refractories and was not operating and was for sale.

I returned to Fish Engineering and talked with Mr. Buddy Dunn. He said they had a boiler that they used to heat water for cleaning the barges. This boiler was not used often and was last used about three weeks ago. He showed me the boiler. He said it was fueled by diesel and an operator controlled the emissions from the stack with an air valve. He said that the unit did smoke on start-up but after the air mixture was adjusted emissions were not visible.

Mr. Dunn said they owned the property across the street and it previously had holding ponds for their waste water from the cleaning of the barges. He said some government agency required them to empty the pit, excavate and dispose of the wastes. They were required to line and fill the new pit with clay and then cover with oyster shells.

Conclusion:

I did not find any smoke or odor violations with regard to Fish Engineering or other facilities that the complainant said were problems. I have Brazoria County Surveillance scheduled for one day during the week beginning January 14, 1985 and will investigate again all sources the complainant pointed out. In addition, I asked the complainant to collect any ash on his property that he might suspect as coming from the boiler.

Larry R. Perry  
Region 7

LRP/dp

T&E 000689

## TEXAS AIR CONTROL BOARD

01 Acct No	[81-0016-H]	Action Code	[ ]
02 Inv Date	[01/13/86]	Hour/#	[12] Cnst. Permit Engineer
03 County	[BRAZORIA]	Jurisdiction	[070]
04 UTM/LL	[ ] E-Meters/Lat [ ]	N-Meters/Long	[ ]
05 Co Name	[Fish Engineering and Construction, Inc]	Portable	[ ] PA [ ]
06 Site Name	[ ]	Fed Fac	[ ] SO <sub>2</sub> [ ]
07 Mail 1	[P.O. Box Drawer 0]	EPA Cls	[ ] VOC [ ]
08 Mail 2	[ ]	A1/A2 Mo	[ ] [ ] [ ]
09 Mail: City	[Freeport]	St	[TX]
10 Location	[ ]	zip	[77541]
11 Near City	[ ]	Loc	[ ] Zip [ ]
12 SIC	[ ]	Prncpl Bsns	[ ]
13 Mgr Name	[Tom Randolph]	Ph#	[409]-(233 / 6371)
14 Title	[Marine Manager]		
15 Permit No	[ ]/[ ]	Approve	[ ] Exempt [ ] Void [ ]
16 Oper Pmt Eng	[ ]	Deny	[ ] Hold [ ] Discuss [ ]
17 All NSPS Facilities	[ ]	All NESHAPS Facilities	[ ]
18 FIN	[ ]	Fac. Name	[ ]
19 Act Code	[ ]		
20 Investigation Type	[ ]	Burning	[ ] Complaint [X] Permit [ ] Non-Inv [ ]
21 Obser Smp	[ ]	Upset/Maint	[ ] Sampling [ ] SIP [ ] Site [ ]
22 Src Surv	[ ]	Vehicle	[ ] NSPS [ ] NESHAP [ ] Other [ ]
23 Inv Codes	[070]		[ ] Inv I.D. [LRP-1]
24 COMPLAINT #	[070100]	DATE RECEIVED	[01/07/86]
25	[ ]	ODOR	[X]
26	[ ]	SMOKE	[ ]
	[ ]	DUST	[ ]
	[ ]	OTHER	[ ]
27 REPRESENTATIVE SAMPLES:		Sampling Results to Follow: Y or N: [ ]	
TYPE	SCC	CONTAM	TIME
28	[ ]	[ ]	[ ]
29	[ ]	[ ]	[ ]
30	[ ]	[ ]	[ ]
Emission Rate Code:	lb/hr - 01; lb/D - 02; T/Y - 03; SCFM - 04; PPM - 05; PPB - 06;		
ug/M <sup>3</sup> - 07; GR/SCF - 08; lb/METU - 09; % - 10; None - 11			
NOV: Rule	Rule	Local	Order
31	[ ]	[ ]	[ ]
32 SCC	[ ]	SCC	[ ]
33 Abatement Letter:	Y or N: [ ]	Hi/Lo Priority:	(Enf. Act. Req. Y or N): [ ]
34 If Emission Status Undetermined, Why?	Plt Dwn [ ] Part Op [ ] Need Smp [ ] U/M [ ]		
35 Other	[ ]		
Sched Date	Act Typ	ID	Comments
36	[ ]	[ ]	[ ]
37	[ ]	[ ]	[ ]
Code Line		Comment Entries	
38	[ ]	[ ]	[ ]
39	[ ]	[ ]	[ ]
40	[ ]	[ ]	[ ]
41 Person Contacted	[Tom Randolph]	Title	[Marine Mgr.]
42 Photos:	Yes [ ] No [X]	Ph#	[233-6371]

Investigator

Date

Approved By

Page 1 of 3 Pages

White .....Original  
 Pink.....Region  
 Canary .....Keypunch  
 Green.....Permits  
 Goldenrod.....File

PURPOSE:

On 1-13-86, Complaint No. 070100 was investigated. The complainant alleged that odors from barge cleaning operations at Fish Engineering and Construction were causing a nuisance to him and other residents of this subdivision.

DISCUSSION:

This complaint was received on 1-7-86, alleging nonspecific nuisance-type odors from Fish Engineering. I talked with the complainant on 1-8-86 on the phone and he said that although there was a north wind at this time, and it appeared that operations were being conducted, that there were no odors from operations detected at his residence. I suggested that when he noticed the odors that he call me and I would investigate as soon as possible.

I also talked on the phone with Tom Randolph of Fish Engineering to see if they were going to be cleaning a barge soon that might contain aromatic hydrocarbons. This company cleans barges carrying about every chemical with the exception of ethyl acrylate and a chemical he called C-5. He said those chemicals were too odorous to handle. He added that all this week they had been cleaning barges containing only alcohols and caustics. These chemicals he considered not odorous and didn't know what odors were bothering the complainant. He said that they had been watchful of wind direction and would stop operations when wind direction might blow odors in the complainant's direction. At this time he had no knowledge of an especially odorous barge coming in to be cleaned. He said that sometimes the barges are just delivered with less than a day's notice. He said that he would call when he had one come in.

On 1-13-86 I went to Freeport to investigate this complaint. Mr. Randolph called our office after I had left to inform me that they had received a barge that had contained benzene on Saturday and they were cleaning it today. I arrived at this site at about 12:00 noon on 1-13-86. Winds at this time were northeasterly at 12-15 mph. I went to a site, downwind of, and between the barge operations and the complainant's residence. I detected a paint odor downwind of the facility. Employees were hand painting dock equipment on a barge. This was not an especially strong odor. I walked further and positioned myself directly downwind of and between barge cleaning operations and the complainant's residence. I was at this site for approximately 30 minutes and did not notice any chemical odors. Later, I went to the complainant's residence but no one was home. I walked around this area but did not detect any chemical odors here. At this distance and at this site I could no longer detect any paint odors.

I went over to Fish Engineering and discussed the complaint with Mr. Randolph. He said that he had called our office to inform me that they were cleaning a benzene barge. He added that he had also called the complainant and asked him to come over and observe operations, but he declined, saying he had errands in Houston but would be interested on another day. Mr. Randolph took me to the barge that had contained benzene. I noticed no significant odors around this barge or from the compartments that had already been cleaned.

As I was leaving the Fish site, I saw a car at the complainant's residence and I talked with his wife. She confirmed that her husband had gone to Houston. She also had complaints of non-specific chemical odors but she had not noticed any odors since her husband had called our office. She had been home over the weekend and most of the morning and did not notice any odors over the weekend or today. She said her husband did not complain of chemical odors this morning before he left for Houston.

Investigator's Comments  
Fish Engineering and Construction  
Freeport, Brazoria County

BL-0016-H  
01-13-86  
Page 3

CONCLUSION:

I did not detect any nuisance-type odors downwind of the Fish Engineering facility at or near the complainant's residence, even though wind was northerly and a barge that had contained an aromatic hydrocarbon was being cleaned. Even though employees at Fish appear to use good judgment regarding wind direction when cleaning barges, there does exist a high potential for nuisance odor conditions in this area.

*Larry Priddy* *5/27/86*  
Larry Priddy  
Environmental Quality Specialist  
Region

LRP/pfs  
5-27-86

T&E 000697

# TEXAS WATER COMMISSION



Paul Hopkins, Chairman  
Ralph Roming, Commissioner  
John O. Houchins, Commissioner

Larry R. Soward, Executive Director  
Mary Ann Helmer, Chief Clerk  
James K. Bourke, Jr., General Counsel

March 14, 1986

Mr. Tom Randolph  
Fish Engineering, Marine Operations  
P. O. Drawer 0  
Freeport, Texas 77541

Dear Mr. Randolph:

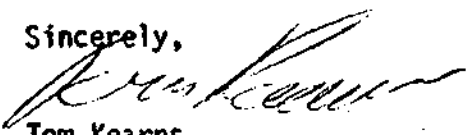
Re: Solid Waste Inspection at Fish Engineering, ISW Registration No. 30141.

On February 20, 1986, Mr. J. Lanahan of this office, accompanied by yourself, conducted an industrial solid waste compliance inspection of your facility. The following deficiencies were noted:

1. Texas Administrative Code (TAC), Section 335.6 (c)-Notification Requirements  
The classification of the barge cleaning wash water as a hazardous waste may be erroneous. Justification for a reclassification to non-hazardous should be forwarded to the address noted below. Additionally, please notify TWC central office that the surface impoundment has been closed, and is inactive. A request to amend the registration should be sent to:  
  
Texas Water Commission  
Attention: Mr. Dick Martin  
P. O. Box 13087  
Austin, TX 78711
2. Fish Engineering should request withdrawal of its Part A permit application and submit an Affidavit of Exclusion for the accumulation time permit exclusion. This affidavit is in regards to the temporary accumulation prior to off-site disposition of heels drained from barges. The request and the affidavit should be submitted to Mr. Rex Coffman at the address listed above.

Please respond to this office in writing by April 20, 1986 with your plans and implementation schedule which will ensure corrective action of the above listed deficiencies by April 20, 1986. If you have any questions, please contact J. Lanahan at (713)-479-5981.

Sincerely,

  
Tom Kearns  
Manager  
Hazardous and Solid Waste  
Southeast Region

TK/JL/ah

REPLY TO: DISTRICT 7 / 4301 CENTER STREET / DEER PARK, TEXAS 77536 / AREA CODE 409 / 790-8811

U.S. POSTAGE 12007 Certified Station • Austin, Texas 78711 • Area Code 512/463-7802

T&E 000698

# Texas Water Commission

## INTEROFFICE MEMORANDUM

TO : Bill Brown, Field Operations Liaison,  
Hazardous and Solid Waste Section

THRU :

DATE: March 14, 1986

FROM : J. L. Lanahan, Hazardous and Solid Waste Specialist,  
Southeast Region

SUBJECT: Fish Engineering and Construction, Incorporated,  
Marine Operations, ISW 30141.

Fish Engineering and Construction, Incorporated, Marine Operations is in the business of cleaning and repairing barges of all types. Chemicals barges are drained and pumped to remove product heels. Barges are then left open to air dry, and to be certified as safe prior to repair work such as welding and sandblasting. These heels are stored in small tanks to be sold for reuse/ recovery. Barges are washed with water or detergent solutions. These wash waters are stored in a double skin floating barge for eventual deep well injection at Empak's Deer Park facility.

No land treatment or disposal occurs at this facility. Records and reports indicate compliance with TWC regulations. However, this inspection was performed on the premise that N.O.R. waste 01 is a non hazardous waste (wash waters). The facility N.O.R. historically reflected this classification, and company analytical data supports that position. That classification had at some point been changed by TWC to Class 1H without the company having requested or submitted reclassification data, and without notifying the company of the change, according to Ms. V. McClendon, TWC Registration unit. The company will seek a reclassification of the material back to a non-hazardous status.

Signed: \_\_\_\_\_

*J. L. Lanahan*

Approved: \_\_\_\_\_

*Tom K...*

TK/JL/ah

T&E 000699

## TEXAS WATER COMMISSION

## HAZARDOUS WASTE COMPLIANCE MONITORING AND ENFORCEMENT LOG

NEW ☐ UPDATE ☐

DWR ID: 30141 1. EPA ID: TXD980626121 INDUSTRY: FISH DISTRICT: 07

INDUSTRY NAME: FISH ENGINEERING &amp; CONSTRUCTION (MARINE OPERATIONS) PHONE: 409-233-6371

SITE ADDRESS: 906 MARLIN, FREEPORT 77541 ZIP: 77541 COUNTY: BRAZORIA

DATE SUBT: 11-15-86  
(CENTRAL OFFICE USE ONLY)FACILITY: (G, F, T) G  
(S, L )  
(1, 2, 3)

4. C, F, S: 42

6. TYPE OF EVALUATION: EV  
44 45CEI - EV, EC, EP, EB  
CME - GW  
OTHER - CL, SW, OT, FEFOLLOW UP - FO  
SAMPLE - SA  
CASE DEVELOPMENT - CD

DATE OF INITIAL EVALUATION: 02-20-86

RESPONSIBLE AGENCY: S

E V A L U A T I O N		D A T E	AREA AND CLASS OF VIOLATION (INCLUDES DISTRICT LEVEL ENFORCEMENT ACTIONS)										Date Actual Compliance		Resolv/Unres/ Compliant		
		Date Notice of Violation	Date Conference	Date Refer. to Austin for Enf.	Date High Prior. Determination	Date Response is Due for NOV	Date of Estim. Compliance										
GW																	
56 57	58	59	61	68	70	77	79	86	88	95	97	104	106	113	115	122	124
CL																	
56 57	58	59	61	68	70	77	79	86	88	95	97	104	106	113	115	122	124
PT																	
56 57	58	59	61	68	70	77	79	86	88	95	97	104	106	113	115	122	124
MA	X																C
56 57	58	59	61	68	70	77	79	86	88	95	97	104	106	113	115	122	124
FI																	
56 57	58	59	61	68	70	77	79	86	88	95	97	104	106	113	115	122	124
SC																	
56 57	58	59	61	68	70	77	79	86	88	95	97	104	106	113	115	122	124
OT	X																C
56 57	58	59	61	68	70	77	79	86	88	95	97	104	106	113	115	122	124
COMMENTS: (COUNTY)																	
001 020																	
000700																	
002																	

WORK NO: 9091

NO. OF SAMPLES: 0

SUBMITTED BY: J.L. Lanahan

# TEXAS WATER COMMISSION

Paul Hopkins, Chairman  
Ralph Roming, Commissioner  
John O. Houchins, Commissioner



Larry R. Soward, Executive Director  
Mary Ann Helmer, Chief Clerk  
James K. Bourke, Jr., General Counsel

March 14, 1986

Mr. Tom Randolph  
Fish Engineering, Marine Operations  
P. O. Drawer 0  
Freeport, Texas 77541

Dear Mr. Randolph:

Re: Solid Waste Inspection at Fish Engineering, ISW Registration No. 30141.

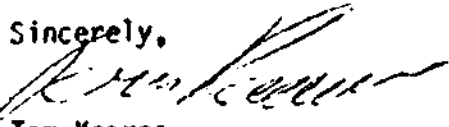
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1. Texas Administrative Code (TAC), Section 335.6 (c)-Notification Requirements  
The classification of the barge cleaning wash water as a hazardous waste may be erroneous. Justification for a reclassification to non-hazardous should be forwarded to the address noted below. Additionally, please notify TWC central office that the surface impoundment has been closed, and is inactive. A request to amend the registration should be sent to:  
  

Texas Water Commission  
Attention: Mr. Dick Martin  
P. O. Box 13087  
Austin, TX 78711
2. Fish Engineering should request withdrawal of its Part A permit application and submit an Affidavit of Exclusion for the accumulation time permit exclusion. This affidavit is in regards to the temporary accumulation prior to off-site disposition of heels drained from barges. The request and the affidavit should be submitted to Mr. Rex Coffman at the address listed above.

Please respond to this office in writing by April 20, 1986 with your plans and implementation schedule which will ensure corrective action of the above listed deficiencies by April 20, 1986. If you have any questions, please contact J. Lanahan at (713)-479-5981.

Sincerely,

  
Tom Kearns  
Manager  
Hazardous and Solid Waste  
Southeast Region

TK/JL/ah

T&E 000693

# Texas Water Commission

## INTEROFFICE MEMORANDUM

TO : Bill Brown, Field Operations Liaison,  
Hazardous and Solid Waste Section

DATE: March 14, 1986

THRU :

FROM : J. L. Lanahan, Hazardous and Solid Waste Specialist,  
Southeast Region

SUBJECT: Fish Engineering and Construction, Incorporated,  
Marine Operations, ISW 30141.

Fish Engineering and Construction, Incorporated, Marine Operations is in the business of cleaning and repairing barges of all types. Chemicals barges are drained and pumped to remove product heels. Barges are then left open to air dry, and to be certified as safe prior to repair work such as welding and sandblasting. These heels are stored in small tanks to be sold for reuse/recovery. Barges are washed with water or detergent solutions. These wash waters are stored in a double skin floating barge for eventual deep well injection at Empak's Deer Park facility.

No land treatment or disposal occurs at this facility. Records and reports indicate compliance with TWC regulations. However, this inspection was performed on the premise that N.O.R. waste 01 is a non hazardous waste (wash waters). The facility N.O.R. historically reflected this classification, and company analytical data supports that position. That classification had at some point been changed by TWC to Class 1H without the company having requested or submitted reclassification data, and without notifying the company of the change, according to Ms. V. McClendon, TWC Registration unit. The company will seek a reclassification of the material back to a non-hazardous status.

Signed: J. L. Lanahan

Approved: [Signature]

TK/JL/ah

T&E 000694

# TEXAS WATER COMMISSION



Paul Hopkins, Chairman  
Ralph Roming, Commissioner  
John O. Houchins, Commissioner

Larry R. Soward, Executive Director  
Mary Ann Helmer, Chief Clerk  
James K. Rourke, Jr., General Counsel

March 14, 1986

Mr. Tom Randolph  
Fish Engineering, Marine Operations  
P. O. Drawer 0  
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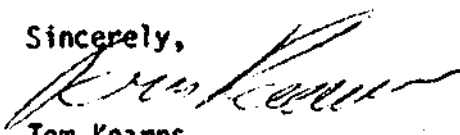
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Texas Water Commission  
Attention: Mr. Dick Martin  
P. O. Box 13087  
Austin, TX 78711

2. Fish Engineering should request withdrawal of its Part A permit application and submit an Affidavit of Exclusion for the accumulation time permit exclusion. This affidavit is in regards to the temporary accumulation prior to off-site disposition of heels drained from barges. The request and the affidavit should be submitted to Mr. Rex Coffman at the address listed above.

Please respond to this office in writing by April 20, 1986 with your plans and implementation schedule which will ensure corrective action of the above listed deficiencies by April 20, 1986. If you have any questions, please contact J. Lanahan at (713)-479-5981.

Sincerely,

  
Tom Kearns  
Manager  
Hazardous and Solid Waste  
Southeast Region

TK/JL/ah

REPLY TO: DISTRICT 7 / 4301 CENTER STREET / DEER PARK, TEXAS 77567 / AREA CODE 409 / 496-1001

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T&E000176

# Texas Water Commission

## INTEROFFICE MEMORANDUM

TO : Bill Brown, Field Operations Liaison,  
Hazardous and Solid Waste Section

DATE: March 14, 1986

THRU :

FROM : J. L. Lanahan, Hazardous and Solid Waste Specialist,  
Southeast Region

*FISH  
ENG.*

SUBJECT: Fish Engineering and Construction, Incorporated,  
Marine Operations, ISW 30141.

Fish Engineering and Construction, Incorporated, Marine Operations is in the business of cleaning and repairing barges of all types. Chemicals barges are drained and pumped to remove product heels. Barges are then left open to air dry, and to be certified as safe prior to repair work such as welding and sandblasting. These heels are stored in small tanks to be sold for reuse/ recovery. Barges are washed with water or detergent solutions. These washwaters are stored in a double skin floating barge for eventual deep well injection at Empak's Deer Park facility. ✓

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Signed: J. L. Lanahan

Approved: [Signature]

TK/JL/ah

## TEXAS WATER COMMISSION

## HAZARDOUS WASTE COMPLIANCE MONITORING AND ENFORCEMENT LOG


☒ NEW ☐ UPDATE

DWR ID: 30141

1. EPA ID: TXD980626121

INDUSTRY: FISH

DISTRICT: 07

INDUSTRY NAME: FISH ENGINEERING &amp; CONSTRUCTION (MARINE OPERATIONS)

PHONE: 409-233-6371

SITE ADDRESS: 906 MARLIN, FREEPORT 77541

ZIP: 77541

COUNTY: BRAZORIA

DATE SUBT: 11-15-84  
(CENTRAL OFFICE USE ONLY)FACILITY: (G, F, T) G  
(S, L )  
(1, 2, 3)

4. C. F. S: 42

6. TYPE OF EVALUATION: EV

CEI - EV, EC, EP, EB  
CME - GW  
OTHER - CL, SW, OT, FEFOLLOW UP - FO  
SAMPLE - SA  
CASE DEVELOPMENT - CD

DATE OF INITIAL EVALUATION: 02-20-84

RESPONSIBLE AGENCY: S

E V A L		D I S T R I C T	Date Notice of Violation		Date Conference		Date Refer. to Austin for Enf.		Date High Prior. Determination		Date Response is Due for NOV		Date of Estim. Compliance		Date of Actual Compliance		Resolv/Unre Compliant
GW																	
56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73
CL																	
56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73
PT																	
56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73
MA	X																C
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OT	X																C
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COMMENTS: (COUNTY)

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002

WORK NO: 9091

NO. OF SAMPLES: 0

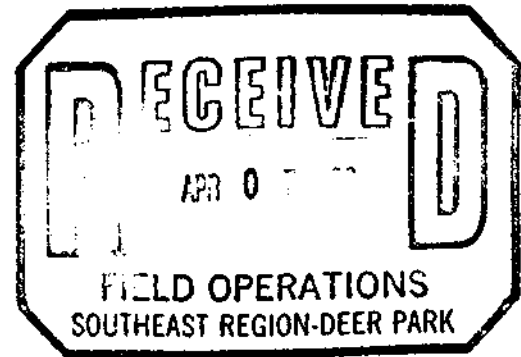
SUBMITTED BY: J. L. Lanahan

T&amp;E 000178

**FISH ENGINEERING & CONSTRUCTION, INC.**

March 28, 1986

Texas Water Commission  
Attention: Mr. Rex Coffman  
P. O. Box 13087  
Austin, Texas 78711



Dear Mr. Coffman:

During a recent compliance inspection, Mr. J. L. Lanahan suggested we request a withdrawal of our Part A. permit application because we do not process or treat any hazardous material. We do not store any product more than 90 days. All of our collected material from our barge cleaning operation is sold before 90 days.

We hereby request and submit this affidavit for exclusion from hazardous waste permit requirements.

Sincerely,

J. R. Nicholson  
Vice President of Construction

JRN/se  
ENCL.

cc: Mr. J. L. Lanahan /

T&E 000270

AFFIDAVIT OF EXCLUSION FROM HAZARDOUS WASTE PERMITTING REQUIREMENT

Registration No. 30141  
Application No. \_\_\_\_\_  
Facility Name (Commission Use Only)  
Fish Engineering & Construction  
County of Brazoria,

\_\_\_\_\_ being duly sworn, deposes and says:  
I am \_\_\_\_\_ of \_\_\_\_\_  
Title (Owner or Principal Officer) Facility Owner  
\_\_\_\_\_ and Address \_\_\_\_\_

This affidavit is being executed for the purpose of notifying the Executive Director of the Texas Water Commission that the named facility does not require a hazardous waste permit because:

Check appropriate box(es):

- ☐ No hazardous waste is stored, processed or disposed on-site
- ☒ The facility qualifies for the "Accumulation Time" storage exclusion of Texas Administrative Code, Section 335.69
- ☐ The facility qualifies for the "Small Quantity Generator" exclusion of Texas Administrative Code, Section 335.2(e)
- ☐ The facility qualifies for the "Elementary Neutralization Unit" exclusion of Texas Administrative Code, Section 335.2(f)
- ☐ The facility qualifies for the "Wastewater Treatment Unit" exclusion of Texas Administrative Code, Section 335.2(f)
- ☐ Other (Explain with an attachment and reference TWC rule)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 198\_\_.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Notary Public in and for

\_\_\_\_\_  
County, \_\_\_\_\_

My commission expires \_\_\_\_\_

T&E 000271

**FISH ENGINEERING & CONSTRUCTION, INC.**

March 28, 1986

Ms. Vicki McClendon  
Registration Unit  
Texas Water Commission  
P. O. Box 13087  
Austin, Texas 78711

Reference: Registration NO. 30140

Dear Ms. McClendon:

During a recent compliance inspection, Mr. J. L. Lanahan of the Southwest Region, Deer Park office, noted that our Notice of Registration dated 9/30/85 listed waste number 003 evaporation pond sludge as no longer generated and facility 01 surface impoundment disposal.

We no longer have these evaporation ponds as they were closed on August of 1982 under our Closure Plan and approved by the Texas Department of Water Resources and District 7 office.

Mr. Lanahan mentioned he had talked to you and recommended we contact you to show on our Registration that these ponds are closed. I am enclosing letters verifying this action to show 003 and 01 closed and inactive on our registration. The former pond site was inspected by Mr. Lanahan.

Mr. Lanahan also noted on our Registration that our waste is Class I Hazardous.

After reviewing our on-site operation, he felt that our waste should be Class I Non-Hazardous, as the only waste we had is slightly contaminated water.

T&E 000273

Ms. Vicki McClendon  
Registration Unit  
March 28, 1986

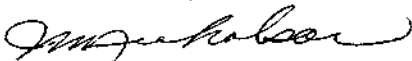
Page 2

We deal only with chemicals from barges. We do not process or treat any material. These small amounts of chemicals are stripped and stored only till they can be sold, as we hold none of this material more than 90 days. On occasion, we fresh water wash these barges after they are stripped out and this water is stored in our movable barge until we have a full load to send to a surface treatment facility. We handle no injection well material.

Our 05/27/83 Notice of Registration lists our wash water and chemicals as Class I Non-Hazardous. We feel this is the proper classification.

We request that our Registration Waste No. 001 and 002 be re-classified to Class I Non-Hazardous and 003 and 01 shown as closed on our Registration.

Sincerely,



J. R. Nicholson  
Vice President of Construction

JRN/se

encl.

cc: Mr. J. L. Lanahan ✓

T&E 000274

TEXAS DEPARTMENT OF WATER RESOURCES

1700 N. Congress Avenue  
Austin, Texas



Harvey Davis  
Executive Director

June 21, 1982

TEXAS WATER DEVELOPMENT BOARD

Louis A. Beecherl, Jr., Chairman  
George W. McCleskey, Vice Chairman  
Glen E. Roney  
W. O. Bankston  
Lonnie A. "Bo" Pilgrim  
Louie Welch

TEXAS WATER COMMISSION

Lee B. M. Biggart, Chairman  
Felix McDonald  
John D. Stover



B.E. PS-TOT-SS  
JIN  
P.T. Wright  
R. Whitfield  
E. Lender

Mr. G. J. Gill  
Senior Vice President  
Fish Engineering & Construction, Inc.  
P. O. Box 22535  
Houston, Texas 77027

Dear Mr. Gill:

RE: Solid Waste Registration No. 30141  
Closure of Class I Lagoons  
Brazoria County

We have reviewed your request to substitute a hard wearing surface for the vegetative cover and topsoil required in the closure plan approved May 21, 1982.

Approval is granted for the use of a hard wearing surface, provided all other cover specifications are met.

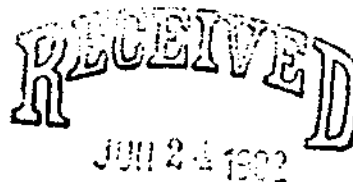
If you have any questions, please contact Jeff Webb of the Solid Waste Section at AC512/475-2041.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Harvey Davis".

Harvey Davis  
Executive Director

cc: TDWR District 7 Office - Deer Park



FISH ENGINEERING &  
CONSTRUCTION, INC.  
MARINE OPERATIONS

T&E 000275

P. O. BOX 22535 / POST OAK TOWER / HOUSTON, TEXAS 77027 / 713/621-8300 / TWX 910 881 1741  
**MARINE OPERATIONS**  
**P. O. DRAWER "O"**  
**FREEPORT, TEXAS 77541**

**FISH ENGINEERING & CONSTRUCTION, INC.**

June 28, 1982

Texas Department of Water Resources  
District 7 Office  
4301 Center Street  
Deer Park, Texas 77536

Attention: Mr. Bob Bressett

Reference: FE&CI Job 2000  
Solid Waste Registration No. 31041  
Closure of Ponds, Brazoria County

Dear Bob:

We estimate completion of the dirt work on the ponds July 2, 1982.  
We would like to give you an opportunity to look at the site before  
we start applying the hard wearing surface.

As we have manpower and equipment committed to the job, we hope  
to start the hard wearing surface July 6, 1982, and complete the  
project as soon as possible.

Sincerely,



Tom Randolph  
Marine Manager

TR/se

cc: G. J. Gill  
J. R. Jones  
E. W. Lender  
J. R. Nicholson  
(Dr) R. T. Whitehead

T&E 000276

LIV

TEXAS WATER COMMISSION



HAZARDOUS WASTE COMPLIANCE MONITORING AND ENFORCEMENT LOG

T&E 000272

☒ NEW ☐ UPDATE

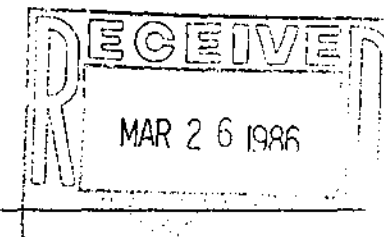
TDWR ID: <u>30141</u>	1. EPA ID: <u>TXD980626121</u>	INDUSTRY: <u>FISH</u>	DISTRICT: <u>07</u>
2. INDUSTRY NAME: <u>FISH ENGINEERING &amp; CONSTRUCTION (MARINE OPERATIONS)</u>		PHONE: <u>409-233-6371</u>	
3. SITE ADDRESS: <u>906 MARLIN, FREEPORT 77541</u>		ZIP: <u>77541</u> COUNTY: <u>BRAZORIA</u>	
7. DATE SUBT: <u>03-15-86</u> (CENTRAL OFFICE USE ONLY)	FACILITY: (G, F, T) <u>G2</u> (S, L ) (1, 2, 3)	4. C, F, S: <input type="checkbox"/>	6. TYPE OF EVALUATION: <u>EV</u> CEI - EV, EC, EP, EB CME - GW OTHER - CL, SW, OT, FE
5. DATE OF INITIAL EVALUATION: <u>02-20-86</u>		RESPONSIBLE AGENCY: S	
APR 1 1986			

E v a l		D e t e r m i n e d		Date Notice of Violation		Date Conference		AREA AND CLASS OF VIOLATION (INCLUDES DISTRICT LEVEL ENFORCEMENT ACTIONS)		Date Refer. to Austin for Enf.		Date High Prior. Determination		Date Response is Due for NOV		Date of Estim. Compliance		Date of Actual Compliance		Resolv/Unres/ Compliant	
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COMMENTS: (COUNTY)

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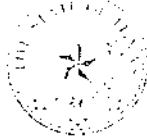
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WORK NO: 9091 NO. OF SAMPLES: 0 SUBMITTED BY: J.L. Lanahan

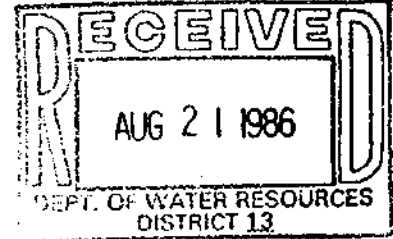
# TEXAS WATER COMMISSION

Paul Hopkins, Chairman  
Ralph Roming, Commissioner  
John O. Houchins, Commissioner



August 18, 1986

Larry R. Soward, Executive Director  
Mary Ann Hefner, Chief Clerk  
James K. Rourke, Jr., General Counsel



Mr. Tom Randolph, Marine Manager  
Fish Engineering & Construction, Inc.  
P.O. Box 22535  
Houston, Texas 77027

Re: Affidavit of Exclusion  
Fish Engineering Construction, Inc.  
Industrial Solid Waste Registration No. 30141  
Hazardous Waste Permit Application No. 11794

Dear Mr. Randolph:

We are reviewing the Affidavit of Exclusion submitted for the purpose of withdrawing the subject hazardous waste permit application.

As you know, your company submitted for the Freeport facility an EPA Form 8700-12, Notification of Hazardous Waste Activity, in 1980 which stated that the company generated, stored, treated and disposed of hazardous waste. Then, in 1981, the company submitted the Part A application for a hazardous waste management facility at the Freeport facility.

In view of your conversations recently with Mr. Randall E. VanDenover, P.E., of our staff, concerning the affidavit and your operations, we are requesting you to submit a description of the process(es) your Freeport operation has used or uses, since the closure of the three lagoons, which might generate a waste. If it can be shown that, since the closures, the wastes are not hazardous, that hazardous wastes are not stored for more than 90 days in accordance with 31 Texas Administrative Code Section 335.69, or that one of the other conditions listed in the affidavit is applicable, the affidavit will be considered.

Also, please include in your description any limitations on materials which might preclude acceptance of a barge for cleaning.

We are aware that barges are considered to be containers and that, if containers meet the qualifications of being empty as provided for in EPA's rule in 40 CFR 261.7, the waste remains non-hazardous when it is removed from the container unless the waste fails a test for a characteristic of a hazardous waste as identified in 40 CFR Part 261 Subpart C. It should be noted that storage of a liquid waste could cause a characteristic hazardous waste to be generated if, for example, separation into a phase which is hazardous occurs. Please also note, in answer to a question asked, that simple processing such as agitation of a tank with air during storage of a hazardous waste for 90 days or less is acceptable.

We are enclosing a copy of affidavit submitted for the Freeport facility for your information.

Mr. Tom Randolph  
August 18, 1986  
Page 2

When we have received your response, the Affidavit of Exclusion will be reviewed further.

Should you have any questions regarding this matter, please contact Mr. Randall E. VanDenover of this office at AC512/463-8174.

Sincerely,



Minor Brooks Hibbs, Chief  
Permits Section  
Hazardous and Solid Waste Division

REV:af

Enclosure

cc: TWC District

TWC H&SW Program Supprt Section

T&E 000300